

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE JONES,

Plaintiffs,

v.

VERNON H. WRANKE, et al.,

Defendants.

No. 1:23-cv-00685-ADA-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CASE FOR FAILING TO COMPLY WITH A
COURT ORDER AND FAILURE TO
PROSECUTE

(ECF No. 11)

Plaintiff Dwayne Jones is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 26, 2023, the Magistrate Judge issued findings and recommendations, recommending that the Court dismiss this case, without prejudice, for failure to comply with court orders and failure to prosecute. (ECF No. 11.) The findings and recommendations contained notice that Plaintiff had fourteen days within which to file objections. That deadline has passed, and Plaintiff has not filed objections or otherwise communicated with the Court.¹

¹ On August 7, 2023, the findings and recommendations were returned as “Undeliverable, Not in Custody.” (*See* docket.) Pro se parties are “under a continuing duty to notify the Clerk and all other parties of any change of address.” E.D. Cal. R. 182(f). “Absent such notice, service of documents at the prior address of the . . . pro se party shall be fully effective.” *Id.* If mail is returned to the Court as undeliverable, and the pro se party fails to notify the Court of an address change within sixty-three days, “the Court may dismiss the action without prejudice for failure to prosecute.” *Id.* 183(b).

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B), the Court has conducted a
2 de novo review of this case. Having carefully reviewed the entire file, the Court concludes that
3 the findings and recommendations are supported by the record and proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on July 26, 2023, (ECF No. 11), are
6 adopted in full;
- 7 2. This case is dismissed, without prejudice, due to Plaintiff's failure to comply with
8 court orders and to prosecute this case; and
- 9 3. The Clerk of Court is directed to close this case.

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12 IT IS SO ORDERED.

13 Dated: October 25, 2023

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UNITED STATES DISTRICT JUDGE